

Panaji, 30th November, 1989 (Agrahayana 9, 1911)

SERIES I No. 35



OFFICIAL GAZETTE

GOVERNMENT OF GOA

GOVERNMENT OF GOA

Public Works Department

Notification

CE/MBP/278/89-PW & UD

The following draft of certain rules which the Government of Goa proposes to make in exercise of the powers conferred by section 72 read with section 54A of the Goa, Daman and Diu Highways Act, 1974 (Act 10 of 1974), is hereby prepublished as required by section 72 of the said Act and notice is hereby given that the said draft rules will be taken into consideration by the Government on the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

All objections and suggestions to the said draft rules may be forwarded to the Secretary (PW & UD), Government of Goa, Secretariat, Panaji, before the expiry of 15 days from the date of publication of this Notification in the Official Gazette.

By order and in the name of the Governor of Goa.

D. V. Sathe, Under Secretary to the Government of Goa. P. W. D.

Panaji, 7th November, 1989.

DRAFT RULES

In exercise of the powers conferred by section 72 read with section 54A of the Goa, Daman and Diu Highways Act, 1974 (Act 10 of 1974), the Government of Goa hereby makes the following rules for the levy of fees for services rendered relating to the use of permanent bridges costing more than rupees twenty five lakhs each, completed and thrown open for the public on the Goa State Highways, namely:

1. **Short title, extent and commencement.** — (1) These rules may be called the Goa State Highways (Fees for Use of Permanent Bridges) Rules, 1989.

(2) They shall extend to the whole of the State of Goa.

(3) They shall come into force at once.

2. **Definitions.** — In these rules, unless the context otherwise requires: —

(a) 'Act' means the Goa, Daman and Diu Highways Act, 1974 (Act 10 of 1974);

(b) 'Fee Inspector' means a person authorised by the Government to collect fee in respect of any mechanical vehicle crossing a permanent bridge and includes every Government employee posted on such bridge in connection with the collection of fees;

(c) 'Government' means the Government of Goa;

(d) 'mechanical vehicle' means any laden or unladen vehicle designed to be driven under its own power including a motor vehicle as defined in clause (28) of section 2 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), but does not include a cart, tonga, hand driven or cycle rickshaw, bicycle, tricycle and any other animal or hand driven vehicle;

(e) 'permanent bridge' means a bridge with permanent structures, the cost of which including the cost of the bridge proper, approach roads, guide bunds and protective works as also structures constructed or improved for collection of fees is more than Rupees twenty five lakhs and which is completed and opened to traffic on State Highways on or after the 1st day of January, 1986.

(f) 'Assistant Engineer' means an officer of the State Public Works Department (Roads and Buildings) or any other Department dealing with State Highways having that designation and being incharge of a particular road or bridge located on a State Highway.

3. **Rates of Fees and its Payment.** — There shall be levied and paid to the Government, fees on mechanical vehicles for the use of permanent bridges at the rates specified in the Schedule to these rules.

4. **Exhibition of rates of fees.** — A Table of fees authorised to be levied at any permanent bridge shall be put up in a conspicuous place near a fee collection booth legibly written or printed in English, Hindi, Konkani and Marathi in which the permanent bridge is situated.

5. **Procedure for collection, realisation of amount, handing, etc.** — (1) All fees levied under these rules shall be collected by the Government and for this purpose necessary arrangements shall be made by

the Government for putting up adequate number of collection booths (operated manually or by automatic arrangements or by combination of both as may be considered suitable by the Government) including improvement and widening of approach roads to serve the collection booths so set up.

(2) There shall be posted at either end of the permanent bridge a Fee Inspector (with necessary police guard to assist) who shall be authorised to collect fee in respect of any mechanical vehicle crossing the said bridge at the rates specified in the Schedule.

(3) There shall be provided at either end of permanent bridge a cross bar for securing the stoppage of mechanical vehicles.

(4) The Fee Inspector shall ensure at the cross bar that passage is not allowed to mechanical vehicles unless the fee leviable in respect thereof has been paid.

6. Mode of collection of fee.—(1) Every driver, owner or person incharge of a mechanical vehicle, required to pay fees under these rules shall before crossing the permanent bridge or after having crossed it, stop his vehicle at the cross bar, go to the fee collection booth to pay the fee leviable in respect of the vehicle and obtain from the Fee Inspector a receipt in duplicate in Form-A appended to these rules in token of having paid the fee, before he is allowed to proceed further.

(2) In the event of two or more permanent bridges falling in close proximity to each other within eighty Kilometres, from a point at the beginning of the approach of entry of the first bridge to be crossed, there shall be levied a fee for one bridge in respect of all such bridges. The fee shall be collected from the driver, owner or person incharge of such of the vehicle or vehicles which intend to cross more than once such bridges, on the first or the last bridge or any of the intermediary bridges to be crossed and shall be allowed to pass through other bridges after showing the receipt to the Fee Inspector posted on the bridges. Details of such bridges shall be displayed at a conspicuous place near the fee collection booths of the bridges covered under this sub-rule, legibly written or printed in English, Hindi, Konkani and Marathi in which the said bridges are situated.

(3) The Fee Inspector shall, on receipt of the fee specified in the Schedule, fill up a receipt in triplicate in Form 'A' and deliver two copies thereof to the driver, owner or the person incharge of the vehicle in respect of which the fee has been paid and retain the third in his office. The motor vehicle shall be allowed to go ahead of the cross bar only after the fee has been paid and receipt issued under these rules.

(4) Where, and if, found necessary, the Government may also set up counter-checking booths. For this purpose where such a booth has been set up at some location considered suitable beyond a fee collection booth, after the mechanical vehicle has crossed the bridge and also paid the prescribed fees, the Fee Inspector on counter checking duty at the counter checking booth shall ensure that the mechanical vehicle is allowed to pass from the counter checking cross bar only after verifying or checking the copies of the receipt for payment of the fees

from the driver, owner or person incharge of the vehicle.

7. Remittance of fees collected.—(1) The Fee Inspector on duty shall be responsible for the collection and safe custody of the amount collected towards fees during the period of his duty and shall not leave his booth till his reliever takes over from him.

(2) The Fee Inspector shall maintain a cash register in Form 'B' appended to these rules and keep it posted up-to-date.

(3) The Fee Inspector shall at the end of the period of his duty, hand over the amount collected by him to his reliever after obtaining the signature of the latter in the relevant column of the cash register.

(4) Every day between the hours of 4 and 5 in the afternoon, the Fee Inspector on duty shall hand over the entire amount of fee collected during the preceding 24 hours to the Assistant Engineer incharge of the bridge after obtaining his signature in the relevant column of the cash register.

(5) The Assistant Engineer shall keep the amounts of collection received from the Fee Inspector in the chest provided for the purpose at his office.

(6) The Assistant Engineer shall on every Saturday or if it happens to be a holiday, on the next working day, remit the amount received by him in respect of the work preceding the Saturday to the Executive Engineer who shall account the amount so received in the relevant receipt head in his books.

(7) The Assistant Engineer shall maintain a register in Form 'C' appended to these rules showing the remittances made to the Executive Engineer and shall keep the register posted up-to-date.

(8) The Assistant Engineer shall exercise supervision and control over the staff posted at the permanent bridge in connection with the collection of the fees and over the maintenance of proper accounts and records by such staff.

(9) The Executive Engineer, incharge of the road on which the permanent bridge is situated, shall check the collection and remittance of fees by the staff in accordance with these rules by paying surprise visits at least twice a month at the offices of the Fee Inspectors and the Assistant Engineer. He shall countersign the cash register maintained by the Fee Inspectors and Assistant Engineer in token of such a check having been made.

8. Furnishing of Security.—The Fee Inspector shall deposit a cash security of not less Rs. 1000/- by executing a security bond to that effect.

9. Credit of the proceeds of the fees and its utilisation.—The proceeds from the fees shall form part of the Consolidated Fund of the State of Goa.

10. Assistance by Police.—All Police officers of the area in whose jurisdiction the permanent bridge falls shall be bound to assist the Fee Inspectors, when required in the collection of fees under these rules, and for that purpose, shall have the same

power which they have in exercise of their normal police duties.

SCHEDULE

Fee chargeable in respect of mechanical vehicles using permanent bridges, costing more than Rs. 25 lakhs on Goa State Highways completed and opened to traffic on or after 1-1-1986 in regard to mechanical vehicles other than Defence Vehicles/Vehicles with V.I.P. symbols, Police Vehicles, Fire Fighting Vehicles, Ambulances, Funeral Vans, Posts and Telegraph Department Vehicles and Central and State Government Vehicles on duty.

Sr. No.	Particulars of vehicles	Fee
1.	Motor Cycle, Scooter or any other two wheeled Mechanically Propelled vehicle.	Re. 1.00.
2.	Motor Car Taxi, jeep, Pickup van, Station Wagon, Tempo, Auto-rickshaws, Three wheeler scooters or other auto-driven light vehicles.	Single journey Rs. 3.00, return journey Rs. 5.00.
3.	Bus, truck and other heavy vehicles including truck-trailer combinations laden with goods/pas-sengers, unladen.	Rs. 10.00.
4.	Other mechanically propelled vehicles not mentioned above like mobile cranes, dozers, earth-movers, road rollers, etc. loaded or unloaded.	Rs. 10.00 allowed only with specific ap-proval of the Government and on rates to be fixed.

Notes:—

1. When the same mechanical vehicle has to cross the bridge more than once in a day the user shall have the option to pay one and a half times the above rates while crossing the bridge in the first trip itself, or if the mechanical vehicle has to use the bridge continuously and quite frequently for

entire month or even beyond that for much longer period, the mechanical vehicle owner can even have monthly pass on the payment of charges equal to 30 single rates.

2. The following mechanical vehicles shall be deemed to be mechanical vehicles having V.I.P. Symbols:—

President and Vice-President of India, Central and State Ministers, Leaders of Opposition in Lok Sabha/Rajya Sabha/State Legislatures having the status of a Cabinet Minister, Minister, Governors/Lt. Governors, Executive Councillors, Speakers/Deputy Speakers, Chairman of Central and State Legislatures, Foreign Dignitaries on State visit to India, Foreign Diplomats stationed in India using cars with CD Symbols.

3. No tolls should be collected for the following vehicles:

Mechanical Vehicles belonging to Defence, Central Government, All State Governments, The President and Vice President of India, Central and State Minister, Leader of Opposition Parties in Lok Sabha/Rajya Sabha, All State Legislatures having the status of Cabinet Minister, Governors/Lt. Governors, Executive Councillors, Speakers/Deputy Speakers, Chairman of Parliament and all State Legislatures, Foreign Dignitaries on State visit to India, Foreign Diplomats, Fire fighting vehicles, Ambulances, Funeral vans and P & T Vehicles.

FORM 'A'

(See rule 6)

R. No.

Receipt for payment of fee.

Name of Bridge(s)

1. Description of mechanical vehicles with Registration Number
2. Whether laden or unladen or with or without passengers
3. Time and date of outward Journey
4. Name of driver and/or owner
5. Amount of fee paid

..... Signature of Fee Inspector

FORM 'B'

[See rule 7(2)]

Cash Register

Sr. No.	Date	Mechanical Vehicle number	Name of person paying the fee	Number of receipt by which fee paid	Amount of fee paid	Progressive figures of fee paid	Signatures of fee Inspector	Signatures of successors fee Inspector	Signatures of Assistant Engineer in-charge	Remarks
1	2	3	4	5	6	7	8	9	10	11

FORM 'C'

[See rule 7(7)]

Register showing records of fee collection and remittance on account of fee collected on permanent bridges

Sr. No.	Name of the Assistant Engineer in-charge	Amount collected from the Fee Inspector (deposited)	Date of Receipt	Name of the Bank from which Demand Draft is purchased	Number of Demand Draft and Date	Amount of Demand Draft	Details of Despatch of Demand Draft	Postal Registration No. of Despatch of Demand Draft	The date of Chalan by which the amount collected is deposited in Govt. Account by E.E's Office	Remarks
1	2	3	4	5	6	7	8	9	10	11

By order and in the name of the Governor of Goa.

D. V. Sathe, Under Secretary to the Government of Goa, (PWD):

Panaji, 7th November, 1989.

Civil Supplies Department

ORDER

4/3/75-FCS-CSD

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act, 10 of 1955), read with Order of the Government of India in Ministry of Agriculture (Department of Food) G. S. R. No. 316(E) dated 20th June, 1972 and with the prior approval of the Central Government conveyed vide Telegram No. 1/6/89-SPY(D.II) dated 9-5-1989, the Government of Goa hereby makes the following Order so as to further amend the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979 as follows, namely:—

1. *Short title, extent and commencement.*—(1) This Order may be called the Goa Foodstuffs Dealers Licensing (Amendment) Order, 1989.

(2) It extends to the whole of the State of Goa,

(3) It shall come into force at once.

2. *Amendment of Schedules.*—In the Goa, Daman and Diu Foodstuffs Dealers Licensing Order, 1979.—

(i) in Schedule - I, after item 22, the following item shall be inserted, namely:—

“23. Gur”;

(ii) in Schedule II, (a) for item (iv), the following item shall be substituted, namely:—

“(iv) Vacuum Pan Sugar.

(a) Sugar	In other towns with a population of less than one lakh.	125 50 —
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(b) Khandsari	— do —	250 50 —
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Provided that no recognised dealer shall hold any stock of Vacuum Pan Sugar or Khandsari (open pan sugar) for a period exceeding seven days from the date of receipt by him of such stock of Sugar or Khandsari.

Provided further that nothing in this Order shall apply to the holding of stocks of Sugar—

- i) on Government accounts; or
- ii) by the recognised dealers nominated by the Government or an officer authorised by it to hold such stock for distribution through fair price shops; or
- iii) by the Food Corporation of India”;

(b) after item (V), the following item shall be inserted, namely—

“(vi) Gur In other towns with

a population of less than one lakh 100 50 —”

By order and in the name of the Governor of Goa.

Maria C. Moraes Barreto, Under Secretary (Civil Supplies).

Panaji, 29th September, 1989.

Law (Legal and Legislative Affairs) Department

Notification

10-3-88/LA

The Appropriation (No. 5) Act, 1987 (Act No. 45 of 1987) which was passed by Parliament and assented to by the President of India on 16th December, 1987, and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 17th December, 1987, is hereby republished for general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 17th March, 1988.

The Appropriation (No. 5) Act 1987

AN
ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1987-88.

Be it enacted by Parliament in the Thirty-eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Appropriation (No. 5) Act, 1987.

2. *Issue of Rs. 1780, 49,00,000 out of the Consolidated Fund of India for the year 1987-88.*—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding, those specified in column 3 of the Schedule amounting in the aggregate to the sum of one thousand seven hundred and eighty crores and forty-nine lakhs rupees towards defraying the several charges which will come in course of payment during the financial year 1987-88, in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE
(See sections 2 and 3)

No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
1	2	Rs.	Rs.	Rs.
1	Agriculture	Revenue 4,66,00,000	..	4,66,00,000
		Capital 11,26,00,000	..	11,26,00,000
4	Department of Rural Development ...	Revenue 249,90,00,000	..	249,90,00,000
5	Department of Fertilizers ...	Revenue 303,25,00,000	..	303,25,00,000
6	Department of Commerce ...	Revenue 156,50,00,000	..	156,50,00,000
10	Telecommunication Services ...	Revenue 80,00,00,000	..	80,00,00,000
14	Defence Services—Navy ...	Capital 1,00,000	..	1,00,000
15A	Defence Ordnance Factories ...	Revenue ..	3,00,000	3,00,000
18	Department of Power ...	Revenue 9,00,000	..	9,00,000
22	Department of Economic Affairs ...	Capital 100,01,00,000	..	100,01,00,000
27	Transfers to State Governments ...	Revenue 1,00,000	7,00,000	8,00,000
		Revenue 250,00,00,000	..	250,00,00,000
		Capital ..	481,64,00,000	481,64,00,000
33	Direct Taxes	Revenue ..	4,46,00,000	4,46,00,000
34	Indirect Taxes	Revenue ..	74,00,000	74,00,000
37	Department of Health ...	Revenue 1,00,000	..	1,00,000
42	Other Expenditure of the Ministry of Home Affairs ...	Revenue ..	2,00,000	2,00,000
44	Department of Education ...	Revenue 3,00,000	..	3,00,000
48	Department of Industrial Development ...	Revenue 50,00,00,000	..	50,00,00,000
54	Ministry of Labour ...	Revenue 1,00,000	..	1,00,000
58	Ministry of Petroleum and Natural Gas ...	Capital 2,39,00,000	..	2,39,00,000
59	Planning ...	Revenue 1,00,000	..	1,00,000
64	Department of Biotechnology ...	Revenue 2,00,00,000	..	2,00,00,000
		Capital 10,00,000	..	10,00,000
67	Ministry of Textiles ...	Revenue 71,00,000	..	71,00,000
		Capital 39,00,00,000	..	39,00,00,000
69	Surface Transport ...	Capital 10,00,00,000	..	10,00,00,000
76	Ministry of Water Resources ...	Revenue 9,52,00,000	..	9,52,00,000
78	Atomic Energy ...	Revenue ..	3,00,000	3,00,000
88	Delhi ...	Revenue 1,00,000	1,25,00,000	1,26,00,000
93	Daman and Diu ...	Revenue 12,73,00,000	..	12,73,00,000
		Capital 10,04,00,000	..	10,04,00,000
		Total	1292,16,00,000	488,33,00,000
				1780,49,00,000

Legislature Department

Notification

LA/B/2411/1989

In exercise of the powers conferred by Clause (3) of Article 187 of the Constitution of India, the Governor of Goa, after consultation with the Speaker of the Goa Legislative Assembly is hereby pleased to make the following amendments to the Goa Legislature Secretariat (Recruitment and Conditions of Service) Rules 1988, namely:—

AMENDMENTS

1. In sub-Clause (b) of Clause 2 in the definition for the words "Board" means the Board consisting of Speaker and Secretary substitute "Board" means the Board consisting of Speaker and Deputy Speaker;

2. After Clause (4) insert the following:—

"4A—Disciplinary authorities for certain categories of Gazetted and Non-Gazetted personnels:—

(1) Subject to the provision of Article 311 of the Constitution of India,

No order involving any of the penalties described in Rule 11 of the Civil Services (Classification, Control and Appeal) Rules, 1965 shall be passed against

(a) Group A or Group B officers except by the Governor, but in the case of Secretary after Special Board and in any other case after consulting the "Board".

(b) Group C servant except by the Board.

(c) Group D servants except by the Secretary.

(2) An appeal against any order passed under Sub Rule (1):

(a) By the "Board" shall lie to the Governor and

(b) By the Secretary shall lie to the Board, and thereafter to the Governor.

By order and in the name of the Governor of Goa.

A. B. Ulman, Under Secretary (Legislature).

Panaji, 15th November, 1989.

Notification

3-2-86/LA

In exercise of the powers conferred by section 89A of the Registration Act, 1908 (Central Act 16 of 1908), the Government of Goa hereby makes the following rules so as to further amend the Goa, Daman and Diu Registration (Filing of True Copies of Documents) Rules, 1986, namely:—

1. Short title and commencement.—(1) These rules may be called the Goa Registration (Filing of True Copies of Documents (Amendment) Rules, 1989.

(2) They shall come into force at once.

2. Amendment of rule 4.—Rule 4 of the Goa, Daman and Diu Registration (Filing of True Copies of Documents) Rules, 1986, shall be re-numbered as sub-rule (1) thereof and in sub-rule (1) so renumbered,—

(i) for clause (xvii), the following clause shall be substituted, namely:—

"(xvii) a space of at least 8 cms. shall be left blank at the top of the first page of the true copy for the purpose of entering the seal of presentation endorsement and the seal of fee endorsement mentioned in rules 35 and 39 respectively of the Goa, Daman and Diu Registration Rules, 1965 or in the case of xerox copies, a space of at least 12 cms. shall be left blank at the top of the first page below impressed stamp of the xerox copy for the purpose of affixing the seal of presentation endorsement and the seal of fee endorsement provided in rules 35 and 39 respectively of the Goa, Daman and Diu Registration Rules, 1965 and for making sheet endorsement and a space of at least 5 cms. shall be left blank at the top of the other pages below the impres-

sed stamp for the purpose of making the said sheet endorsement as per rule 6 of these rules;";

(ii) after sub-rule (1), the following sub-rule shall be inserted, namely:—

"(2) Notwithstanding anything contained in sub-rule (1), if a clean and clearly legible xerox copy of the original document is presented, it shall be deemed to be a true copy for the purpose of this rule subject to the conditions specified in sub-clauses(a) and (b) of clause (i) and clauses (xvii) and (xx) of sub-rule (1)."

By order and in the name of the Governor of Goa.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 16th November, 1989.

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Law (Establishment) Department**Corrigenda**

4-9-87/LD(1)

Read: Notification No. P.0106 / 77 dated 14-6-1989, from the Additional Registrar (Administration), High Court (Appellate Side), Bombay.

The word "Small" appearing in Sub-Clause (e) of Rule 14 of the Rules "These rules may be called Assignment of a Pleader to an unrepresented indigent person (Goa) Rules, 1989", in the above mentioned Government Notification published in the Official Gazette, Government of Goa, Series I No. 16 dated 20th July, 1989 may be substituted to read as "In all".

Maria A. Rodrigues, Under Secretary (Law).

Panaji, 20th November, 1989.